

REMARKS

In the Office Action, dated May 17, 2005, elected claims 1-17, 22-38, 44-49, and 57-69 are being considered. Claims 1-17, 22-38, 44-49, and 57-69 stand rejected. Specifically, claims 1, 2, 4-10, 12-15, 17, 22-24, 26-30, 32-38, 44, 46, 48, 49, 57-59, 61, and 69 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,842,628 (Arnold). Claims 3, 11, 16, 25, 31, 45, and 60 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arnold in view of U.S. Patent No. 6,608,559 (Lemelson). Claim 47 was rejected under 35 U.S.C. § 103(a) as unpatentable over Arnold in view of US App. No. 2003/0036412. Claims 64-68 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arnold.

Applicants respectfully request that the Examiner contact the undersigned at 206-903-2461 to discuss the response should the Examiner maintain the rejection of the claims. With that said, Applicants respectfully traverse the rejection in view of the following remarks.

Rejection of Claims 1-17, 22-38, 44-49, and 57-69

Claims 1-17, 22-38, 44-49, and 57-69 have been rejected under § 102(e) as anticipated by Arnold et al. For example, with respect to independent claim 1, the Examiner has indicated in part that the service provider (103) that is connected to an alert provider (106) anticipates the claimed element of “delivering the emergency notification content from the emergency originating source to at least one transmitting party” (claim 1) (Office Action, p. 2).

In order to more clearly recite the invention, the Applicants have amended claim 1 in the following manner:

A method for disseminating emergency notification content from an emergency originating source, the method comprising:

delivering the emergency notification content *in real time* from the emergency originating source to at least one transmitting party;

selecting a subset of users from among a set of users for dissemination of the emergency notification content based on the subject matter of the emergency notification content; and

delivering the emergency notification content from the at least one

transmitting party to a device corresponding to each user from the selected subset of users.

(emphasis added). Amended claim 1 recites that the emergency content is delivered *in real time* from the emergency originating source to the at least one transmitting party. (See, for example, paragraph 50, lines 1-20 for support for the amended language.)

Applicants observe that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *See Also* MPEP § 2131. Applicants submit that a teaching of the claim 1 limitation of "delivering the emergency notification content *in real time* from the emergency originating source to at least one transmitting party" (emphasis added) is not found in Arnold et al.

Arnold et al. merely discloses a method for transmitting verified notification messages, by first registering a plurality of users and providing each of the users with respective public and private encryption keys. Once this is accomplished, a message is then received from a first user of the plurality of users. The received message is signed with the first user's private encryption key. A signature of the message is verified by using the first user's public encryption key. The authority of the first user to transmit notification messages is then verified. The message is then resigned with the second user's private encryption key and transmitted to at least a second user of the plurality of users, where the second user verifies the signature by using the second user's public encryption key. (Abstract). *See Also* col. 5, l. 41 to col. 7, l. 38.

In other words, Arnold et al. discloses the sending of encrypted messages to recipients, in contrast to the claimed "delivering the emergency notification content in real time from the emergency originating source to at least one transmitting party" (claim 1). And for this reason, Applicants submit that claim 1 patentably defines over Arnold et al.

Claims 8, 12, 14, 22, 26, 32, 36, 44, 57, 61, and 63 recite similar limitations that are not taught by Arnold et al. Inasmuch as claims 2-7, 9-11, 13-17, 23-25, 27-31, 33-35, 37-38,

DOCKET NO.: IVOO-0003
Application No.: 09/990,450
Office Action Dated: May 17, 2005

PATENT

45-49, 58-60, 62, 64-69 depend either directly or indirectly from claims 1, 8, 12, 14, 22, 26, 32, 36, 44, 57, 61, and 63, Applicant submits that they are allowable for at least the same reasons. Withdrawal of the rejection and allowability of the pending claims is thus earnestly solicited.

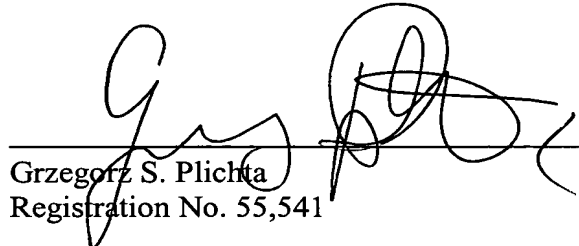
DOCKET NO.: IVOO-0003
Application No.: 09/990,450
Office Action Dated: May 17, 2005

PATENT

CONCLUSION

Applicants respectfully submit that the rejection of claims 1-17, 22-38, 44-49, and 57-69 has been traversed and, accordingly, Applicants request that the rejections be withdrawn and that the claims be allowed to issue. Should the Examiner have any questions, comments, or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference at (206) 903-2461.

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Grzegorz S. Plichta
Registration No. 55,541

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439